

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

**Abercrombie & Fitch Co. and
Abercrombie & Fitch Trading Co.**
6301 Fitch Path
New Albany, Ohio 43054,

Plaintiffs,

v.

Affliction Holdings, LLC
1799 Apollo Ct
Seal Beach, CA 90740,

Defendant.

CASE NO.: _____

**COMPLAINT FOR TRADEMARK
INFRINGEMENT, UNFAIR
COMPETITION, DECEPTIVE
TRADE PRACTICES ACT; AND
INJUNCTIVE RELIEF**

JURY TRIAL DEMANDED

COMPLAINT

Plaintiffs Abercrombie & Fitch Co. and Abercrombie & Fitch Trading Co. (collectively “A & F”) seek injunctive and monetary relief against Defendant Affliction Holdings, LLC (“Affliction”) for trademark infringement and unfair competition with regard to sales of clothing bearing marks that infringe A & F’s federally registered trademarks. A & F seeks additional relief against Affliction for willful infringement of A & F’s trademarks based on Affliction’s continued use of A & F’s registered trademarks, despite notice of A & F’s extensive use and prior rights.

PARTIES

1. Plaintiff Abercrombie & Fitch Co. is a Delaware corporation having its principal place of business at 6301 Fitch Path, New Albany, Ohio 43054. Abercrombie & Fitch Co. itself and through its wholly owned subsidiaries, designs, manufactures and sells apparel for men, women, boys, and girls in the United States and internationally.

2. Plaintiff Abercrombie & Fitch Trading Co. is an Ohio corporation with its principal place of business at 6301 Fitch Path, New Albany, Ohio 43054. Abercrombie & Fitch Trading Co. is a wholly owned subsidiary of co-plaintiff Abercrombie & Fitch Co. and is the owner of A & F's trademarks used in connection with apparel.

3. Defendant Affliction is a California corporation with its principal place of business at 1799 Apollo Ct, Seal Beach, CA 90740. Defendant Affliction is a nationwide retailer in the business of selling apparel for men, women and children. Affliction sells t-shirts and jeans under the brand name American Fighter.

JURISDICTION AND VENUE

4. This court has personal jurisdiction over Defendant Affliction.

5. Affliction has sold infringing shirts to Ohio retailers and to websites offering the infringing goods for sale to Ohio residents. Affliction sells apparel nationally via its website, including to Ohio residents. Affliction has intentionally directed its infringing activity at A & F, an Ohio company, and its infringing goods compete directly with A & F goods in Ohio.

6. A & F is comprised of Ohio corporations and has sustained the damages complained of herein as a result of the trademark infringement, and unfair competition in this District.

7. This court has jurisdiction over the subject matter of this action under 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338, and has supplemental jurisdiction under 28 U.S.C. § 1367(a) over A & F's claims under Ohio law. Diversity jurisdiction under 28 U.S.C. § 1332 also exists as there is complete diversity between the parties and the matter in controversy exceeds seventy-five thousand dollars, exclusive of interest and costs.



8. Venue is proper in this district under 28 U.S.C. §1391(b) and (c).

PLAINTIFFS' TRADEMARKS

9. A & F is one of the largest manufacturers, wholesalers and retailers of high quality, casual apparel and accessories for men women, and children in the U.S.A. The parent company and its predecessors in interest have been engaged in the business of manufacturing and selling high-end apparel and related accessories in the United States for over 100 years under the brand name "Abercrombie & Fitch," also known as "A & F".

10. At issue in this action is Defendant's infringement of certain trademarks created and used by A & F and collectively referred to herein as the "AF Marks".

11. A & F is the owner of U.S. Registrations for the following AF Marks (copies of the TSDR Reports for each registration and application set forth below are attached as **Exhibit A**):

REG. NO. / APP. NO.	MARK	REG. DATE / APP. DATE	FIRST USE DATE	CLASS(ES)
U.S. Reg. No. 2,503,382	AF	11-06-2001	07-31-1994	Int. Class 25
U.S. Reg. No. 2,530,664	A & F	01-15-2002	11-30-1997	Int. Class 25, 35
U.S. Reg. No. 3,349,895	A & F	12-04-2007	11-30-2004 02-28-1999 01-31-2003	Int. Class 3 Int. Class 14 Int. Class 18
U.S. Reg. No. 3,739,561		01-19-2010	01-05-2009	Int. Class 25
U.S. Reg. No. 3,221,986	A & F 92	03-27-2007	11-30-1999	Int. Class 25
U.S. Reg. No. 1,169,714	A & F	09-15-1981	09-29-1978	Int. Class 35
U.S. Reg. No. 3,624,670	A & F NEW YORK	05-19-2009	09-27-2006	Int. Class 25
U.S. Reg. No. 4,354,241		06-18-2013	09-01-2009	Int. Class 25

12. All of A & F's Registrations identified in the chart above and in Exhibit A as attached, are *prima facie* evidence of the validity thereof and A & F's ownership and exclusive right to use these marks in commerce, and are constructive notice of A & F's ownership thereof.

13. A & F's registrations for AF (Reg. No. 2,503,382), A & F (Reg. No. 2,530,664), A & F (Reg. No. 3,349,895), and A & F (Reg. No. 1,169,714) are incontestable under 15 U.S.C. § 1065, and as such, these registrations are conclusive evidence of the validity of the registered marks, of A & F's ownership of the marks and of A & F's exclusive right to use the mark with the goods and services.

14. A & F and its predecessors in interest have sold clothing, namely, t-shirts, pants, shorts and shirts, under its AF mark (Reg. No. 2,503,382) since at least as early as July 1994.

15. A & F and its predecessors in interest have sold under its A & F mark (Reg. No. 2,530,664), clothing, namely shirts, t-shirts, tank tops, knit tops, woven tops, sweatshirts, sweatpants, underwear, boxer shorts, pants, short pants, jeans, skirts, footwear, sweaters, vests, coats and jackets since at least as early as November 1997.

16. A & F and its predecessors in interest have sold clothing, namely, shirts, t-shirts, knit tops, sweatshirts, sweatpants, jogging pants, pants and short pants under its A & F 92 mark (Reg. No. 3,221,986) since at least as early as November 1999, and have sold clothing, namely, knit shirts, knit tops, shirts, shorts, sweat shirts, sweat shorts, and t-shirts under its A & F NEW YORK mark (Reg. No. 3,624,670) since at least as early as September 2006.

17. A & F and its predecessors in interest have sold polo shirts, shirts and short-sleeved shirts under its stylized overlapping A&F mark (Reg. No. 3,739,561) since at least as early as January 2009.

18. A & F and its predecessors in interest also have sold handbags, tote bags and travel bags under its A & F mark (Reg. No. 3,349,895) since at least as early as January 2003.

19. A & F and its predecessors in interest also have sold bottoms, coats, footwear, jackets, leggings, sleepwear and tops under its stylized lowercase A & F mark (Reg. No. 4,354,241) since at least as early as September 2009.

20. A & F and its predecessors in interest have also sold goods under the AF Marks in related classes and offered retail store services under the A&F Mark.

21. A & F's use of its AF Marks has been valid and continuous since at least as early as each respective date of first use and has not been abandoned.

22. A & F's AF branded goods, including but not limited to, bags, bottoms, hats, jackets, shirts, shorts, sweaters, t-shirts, sweatpants, sweatshirts, skirts, sleepwear, and belts are sold in its "Abercrombie & Fitch" and "abercrombie" stores, as well as, through its websites www.abercrombie.com and www.abercrombiekids.com.

23. Abercrombie & Fitch Trading Co. has licensed to Abercrombie & Fitch Co. and its subsidiaries the right to use its registered and common law trademarks in the United States. As a result of its long use and promotion of these trademarks, A & F has established these trademarks as distinctive, and as well known and having secondary meaning among actual and target purchasers as well as among members of the public.

24. As a result of A & F's long and continuous use of the AF Marks since at least as early as 1978 in connection with retail services and at least as early as 1994 in connection with clothing, and its substantial investment in advertising and promotion, A & F's AF Marks have become famous and well-known among its actual and target purchasers of casual apparel as well as other members of the public, as a distinctive symbol of A & F's goodwill.

25. A & F also has common law trademark rights under federal and Ohio law in its AF Marks. AF Marks protected by common law trademark rights are uniquely associated with A & F.

26. A & F invests tens of millions of dollars annually on promoting its marks and products. Between 2001 and 2013, A & F expended over \$300 million to market and promote its products, including products bearing its AF Marks, in the United States.

27. To create and maintain goodwill among its customers and to protect the value of its trademarks, A & F has taken substantial steps to ensure that all apparel bearing the AF Marks is of the highest quality.

DEFENDANT'S INFRINGEMENT

28. Affliction has offered and continues to offer directly competing apparel bearing marks that are confusingly similar to and/or designed to trade off the goodwill of A & F's registered AF Marks ("American Fighter Apparel"). Attached as **Exhibit B** are images in color of infringing American Fighter Apparel.

29. Affliction's American Fighter Apparel shown in Exhibit B infringe A & F's prior rights in its AF Marks and create an overall commercial impression that is confusingly similar to apparel bearing the AF Marks. Examples of A & F's clothing bearing the AF Marks, in comparison to the infringing American Fighter Apparel are shown in the table below:

AF MARKS	AMERICAN FIGHTER'S USE
	

AF MARKS	AMERICAN FIGHTER'S USE
	
	

30. Affliction is distributing its infringing American Fighter Apparel online through its website <http://americanfighter.com/>, and through third party websites and other retailers throughout the United States, including in Ohio.

31. The American Fighter Apparel competes directly against A & F's apparel.

32. Affliction's use of the AF Marks on the American Fighter Apparel is likely to cause confusion as to whether A & F is the source of the American Fighter Apparel.

33. Affliction has copied the A & F Marks for Affliction's own benefit and is trading on A & F's goodwill in its AF Marks.

34. On July 8, 2014, counsel for A & F sent a letter to Affliction advising them that their apparel was infringing A & F's prior rights in its AF Marks, and requesting that Affliction immediately cease its infringement.

35. A & F sent additional letters on August 8, 2014 and August 19, 2014 warning Affliction that by selling American Fighter Apparel bearing the AF Marks or marks confusingly similar to the AF Marks, Affliction was infringing A & F rights in its federally registered trademarks. Despite this notice of A & F's prior rights, Affliction has not ceased selling the infringing American Fighter Apparel.

36. Defendant Affliction has acted with the intention of trading off A & F's goodwill in the AF Marks, and of diverting to itself persons who are interested in the products of A & F.

37. Affliction is willfully selling its American Fighter Apparel bearing imitations of the AF Marks in a manner likely to cause confusion or mistake among members of the consuming public.

38. Affliction's unauthorized use of the AF Marks in the manner described above:

- (a) is likely to cause confusion, to cause mistake, and/or to deceive customers and potential customers of the parties, as to the origin, sponsorship, or approval of Defendant's products and services, or as to some affiliation, connection, or association of Defendant with A & F;
- (b) enables Defendant to trade off and receive the benefit of goodwill A & F built up at great labor and expense over several years, and to gain acceptance for Defendant's products and services not solely on their own merits, but on the reputation, investment, and hard work of A & F, and reputation and associated goodwill of its trademarks, products and services;
- (c) unjustly enriches Defendant; and

- (d) unlawfully removes from A & F the ability to control the nature and quality of products and services provided under its trademarks and places the goodwill and valuable reputation of A & F in the hands of Defendant, over which A & F has no control.

39. A & F has been damaged and will continue to be damaged by Defendant's unauthorized use of the AF Marks, in the manner described above.

40. Unless these current acts of infringement and unfair competition are restrained by this Court, A & F and the public will continue to suffer irreparable injury for which there is no adequate remedy at law.

**COUNT I: INFRINGEMENT OF A FEDERALLY REGISTERED TRADEMARK
(15 U.S.C. § 1114)**

41. A & F re-alleges and incorporates the allegations set forth in paragraphs 1-40 herein.

42. Defendant's use of the AF Marks and confusingly similar marks on the American Fighter Apparel directly infringes the AF Marks in violation of the Lanham Act, 15 U.S.C. § 1114.

43. Defendant's use of the AF Marks and confusingly similar marks on the American Fighter Apparel creates a likelihood of confusion, mistake and/or deception as to the affiliation, connection, association, origin, sponsorship, approval, commercial activities, nature, characteristics, and qualities of the American Fighter Apparel.

44. Because of Defendant's unlawful acts, A & F has suffered and continues to suffer injury, and is entitled to recover all damages it sustained and all profits realized by Defendant as a result of those unlawful actions, as well as A & F's costs of suit, pursuant to 15 U.S.C. § 1117.

45. Upon information and belief, Defendant's unlawful actions, as above-described, were and continue to be willful, with the result that Plaintiff is entitled to treble damages and an award of reasonable attorneys' fees against Defendant, pursuant to 15 U.S.C. § 1117.

COUNT II: FEDERAL UNFAIR COMPETITION
(Lanham Act § 43(a), 15 U.S.C. § 1125(a))

46. A & F re-alleges and incorporates the allegations set forth in paragraphs 1-45 herein.

47. Defendant's unauthorized use of A & F's trademarks and indicia of source uniquely identified with A & F falsely indicates that A & F or their agents are connected with, sponsored, endorsed, authorized, or approved by, or affiliated with Defendant, or that Defendant is connected with, sponsored, endorsed, authorized, or approved by, or affiliated with A & F.

48. Defendant's acts complained of herein constitute unfair competition in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

49. The acts of Defendant complained of herein constitute false designation of origin, in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

50. Defendant's actions, resulting in unlawful and unauthorized use of simulations of A & F's trademarks, are willful.

51. The willfulness of Defendant's acts complained of herein makes this an exceptional case under Section 35(a) of the Lanham Act, 15 U.S.C. § 1117(a).

52. As a result of the foregoing alleged actions of Defendant, Defendant has been unjustly enriched and A & F has been injured and damaged. Unless the foregoing alleged actions of Defendant are enjoined, A & F will continue to suffer injury and damage. A & F is entitled to monetary damages, including A & F's actual damages, costs, and Defendants' profits.

COUNT III: UNFAIR COMPETITION
(Ohio Common Law)

53. A & F re-alleges and incorporates the allegations set forth in paragraphs 1-52 herein.

54. Defendant's copying of the AF Marks is infringing A & F's rights and has created a likelihood of confusion amongst consumers as to the origin, endorsement, or approval of the American Fighter Apparel.

55. The aforementioned acts of Defendant constitute unfair competition and infringement of A & F's common-law rights in the A & F trademarks.

56. Plaintiffs have no adequate remedy at law and have continued to suffer irreparable harm and damage as a result of Defendant's aforesaid acts, which, if not enjoined, will cause additional injury and loss. A & F is entitled to monetary damages, including A & F's actual damages, costs and Defendants' profits.

COUNT IV: DECEPTIVE TRADE PRACTICES
(Ohio's Deceptive Trade Practices Act, Ohio Rev. Code § 4165.02(A))

57. A & F re-alleges and incorporates the allegations set forth in paragraphs 1-56 herein.

58. Defendant has been and is causing a likelihood of confusion or misunderstanding as to the source, sponsorship, or approval of Defendant's goods.

59. Defendant has been and is causing a likelihood of confusion as to Defendant's affiliation, connection, association with, or certification by A & F.

60. Defendant's actions described herein are likely to cause confusion among members of the public.

61. As a result of Defendant's conduct, A & F is entitled to injunctive relief and monetary damages, including A & F's actual damages, costs and Defendants' profits.

62. Defendant's conduct constitutes deceptive trade practices in the conduct of a business in violation of Ohio's Deceptive Trade Practices Act, Ohio. Rev. Code § 4165.02.

63. As a result of defendant Affliction's actions described herein, A & F is entitled to recover its reasonable attorneys' fees.

PRAYER FOR RELIEF

WHEREFORE, A & F prays that:

1. The Court enter judgment for A & F and against the Defendant on the foregoing claims, including that: Defendant has infringed A & F's trademarks under § 32 of the Lanham Act and the Ohio Deceptive Trade Practices Act, Ohio Rev. Code § 4165.02(A), competed unfairly with A & F under § 43(a)(1) of the Lanham Act, 15 U.S.C. § 1125(a)(1), and Ohio common law, and has otherwise injured A & F's business reputation and been unjustly enriched by using Plaintiff's AF Marks in the manner complained of herein.

2. Defendant, its agents, servants, employees, attorneys, and all others in active concert or participation with it, be enjoined and restrained, during the pendency of this action and permanently thereafter, from:

- (a) using Plaintiff's AF Marks, or any colorable imitation thereof, on or in connection with the design, manufacture, importation, advertisement, promotion, marketing, sale or other distribution of apparel or any other goods;
- (b) doing any other act or thing likely to confuse, mislead, or deceive others into believing that Defendant or its products emanate from, or are affiliated or connected with, or sponsored or approved by, A & F;

3. An accounting be directed to determine Defendant's sales or profits resulting from its activities and an Order be issued compelling defendant to pay all such sales or profits to A & F and increased as the Court finds to be just under the circumstances of this case;

4. Defendant be required to pay to A & F its actual damages and Defendant's profits relating to Defendant's aforesaid trademark infringement and unfair competition in accordance with Section 35(a) of the Lanham Act, 15 U.S.C. §1117(a), and all damages caused by acts complained of herein available under Ohio statutory and common law;

5. Defendant be required to pay A & F's reasonable attorneys' fees and costs of this action based on Defendant's willful infringement;

6. Defendant, in accordance with Section 36 of the Lanham Act, 15 U.S.C. § 1118, be required to deliver to A & F for impoundment, and upon final judgment or decree, destruction, all goods, labels, signs, prints, packages, bottles, receptacles, containers, product and advertisements in Defendant's possession or control which infringe on the AF Marks;

7. Defendant, in accordance with Section 34(a) of the United States Trademark Act, 15 U.S.C. § 1116(a), be required to file with the Court, and serve upon A & F, within thirty (30) days after the entry and service on Defendant of an injunction, a report in writing and under oath, setting forth in detail the manner and form in which Defendant has complied with the terms of such injunction;

8. The Court retain jurisdiction of this action for the purpose of enabling A & F to apply to the court in the future for such further orders and directions as may be necessary or appropriate for the interpretation or execution of any Order entered in this action, for the modification of any such Order, for the enforcement or compliance therewith, and for the enforcement of any violations therefore;

9. Defendant be required to pay to A & F interest, including pre-judgment interest, on the foregoing sums; and

10. A & F recover such other relief as the Court may deem appropriate.

DEMAND FOR JURY TRIAL

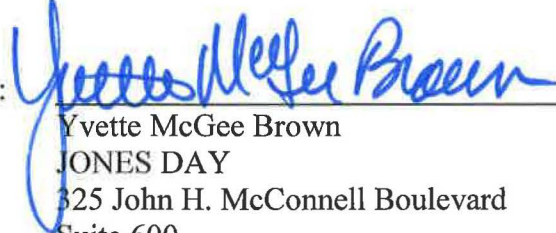
The Plaintiffs, A & F, hereby demand a jury trial on all issues triable by a jury.

Date: October 10, 2014

Respectfully submitted,

JONES DAY

By:



Yvette McGee Brown

JONES DAY

325 John H. McConnell Boulevard

Suite 600

Columbus, Ohio 43215

(T) +1.614.469.3939

(F) +1.614.461.4198

OF COUNSEL:

SUSAN M. KAYSER (pro hac vice pending)

skayser@jonesday.com

LUCY JEWETT WHEATLEY (pro hac vice pending)

lwheatley@jonesday.com

JONES DAY

51 LOUISIANA AVE, NW

WASHINGTON, DC 20001

202.879.3939

202.626.1700 (Facsimile)

WAI-783193762v1

Exhibit A

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,503,382

Registered Nov. 6, 2001

**TRADEMARK
PRINCIPAL REGISTER**

AF

A & F TRADEMARK, INC. (DELAWARE COR-
PORATION)
1105 NORTH MARKET STREET
WILMINGTON, DE 19801


OWNER OF U.S. REG. NOS. 951,410, 2,061,284 AND
OTHERS.

FOR: CLOTHING, NAMELY, HATS, T-SHIRTS,
PANTS, SHORTS, CAPS, SHIRTS AND BOXER
SHORTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

SER. NO. 75-494,357, FILED 6-2-1998.

FIRST USE 7-0-1994; IN COMMERCE 7-0-1994.

LESLEY LAMOTHE, EXAMINING ATTORNEY



United States Patent and Trademark Office

An Agency of the Department of Commerce

Trademark Status and Document Retrieval

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SEARCHMULTI-SEARCH ?

US Serial No

StatusDocuments

Status results found

STATUSDOCUMENTS ?

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Mark: AF

AF

US Serial Number: 75494357

Application Filing Date: Jun. 02, 1998

US Registration Number: 2503382

Registration Date: Nov. 06, 2001

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Oct. 27, 2011

Publication Date: Dec. 07, 1999

Mark Information

Collapse All

Mark Literal Elements: AF

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US 0951410, 1169714, 1181590, 2061284 and others Registrations:

Goods and Services

Note:
The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: clothing, namely, [hats,] t-shirts, pants, shorts, [caps,] shirts [and boxer shorts]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 1994

Use in Commerce: Jul. 1994

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: ABERCROMBIE & FITCH TRADING CO.

Owner Address: 6301 FITCH PATH
NEW ALBANY, OHIO 43054
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: OHIO

http://tsdr.uspto.gov/#caseNumber=75494357&caseType=SERIAL_NO&searchType=statusSearch[6/10/2014 11:23:37 AM]

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jacob Kramer

Attorney Primary Email Address: ipdocketingwest@abercrombie.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Jacob Kramer

Abercrombie & Fitch Trading Co.
6301 Fitch Path
New Albany, OHIO 43054
UNITED STATES

Phone: 614.283.6930

Fax: 614.283.8940

Correspondent e-mail: ipdocketingwest@abercrombie.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

▼ Prosecution History

Date	Description	Proceeding Number
Oct. 27, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
Oct. 27, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76533
Oct. 25, 2011	TEAS SECTION 8 & 9 RECEIVED	
Oct. 06, 2011	NOTICE OF SUIT	
Mar. 08, 2011	NOTICE OF SUIT	
Feb. 24, 2011	NOTICE OF SUIT	
Jul. 06, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 06, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 28, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
May 28, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Nov. 10, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Nov. 08, 2007	ASSIGNED TO PARALEGAL	76533
Nov. 06, 2007	TEAS SECTION 8 & 15 RECEIVED	
Jan. 19, 2007	CASE FILE IN TIGRS	
Jun. 14, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 02, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 02, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 19, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 06, 2001	REGISTERED-PRINCIPAL REGISTER	
Sep. 10, 2001	OPPOSITION TERMINATED NO. 999999	117807
Sep. 10, 2001	OPPOSITION DISMISSED NO. 999999	117807
May 18, 2000	REG. CANCELLED - RESTORED TO PENDENCY	
Apr. 13, 2000	OPPOSITION INSTITUTED NO. 999999	117807
Feb. 29, 2000	REGISTERED-PRINCIPAL REGISTER	
Dec. 07, 1999	PUBLISHED FOR OPPOSITION	
Nov. 05, 1999	NOTICE OF PUBLICATION	
Aug. 26, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 15, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Mar. 03, 1999	NON-FINAL ACTION MAILED	
Dec. 31, 1998	ASSIGNED TO EXAMINER	69800

▼ Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 06, 2011

▼ TM Staff and Location Information

TM Staff Information - None

File Location	
Current Location:	Not Found
Date in Location:	Oct. 27, 2011
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- » Budget & Performance

- » Freedom of Information Act (FOIA)
- » Department of Commerce NoFEAR Act Report
- » Regulations.gov
- » STOP!Fakes.gov

- » Strategy Targeting Organized Piracy (STOP!)
- » Information Quality Guidelines
- » Department of Commerce
- » USPTO Webmaster

United States of America

United States Patent and Trademark Office



Reg. No. 3,739,561 ABERCROMBIE & FITCH TRADING CO. (OHIO CORPORATION)
Registered Jan. 19, 2010 ATTN: JACOB KRAMER
6301 FITCH PATH
NEW ALBANY, OH 43054

Int. Cl.: 25

FOR: POLO SHIRTS; SHIRTS AND SHORT-SLEEVED SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

TRADEMARK
PRINCIPAL REGISTER

FIRST USE 1-5-2009; IN COMMERCE 1-5-2009.

OWNER OF U.S. REG. NOS. 1,169,714, 2,530,664, AND 3,349,895.

THE MARK CONSISTS OF "A & F" IN A STYLIZED FORMAT.

SER. NO. 77-760,432, FILED 6-16-2009.

HOWARD B. LEVINE, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office



United States Patent and Trademark Office
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Trademark Status and Document Retrieval

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Mark: A & F



US Serial Number: 77760432

Application Filing Date: Jun. 16, 2009

US Registration Number: 3739561

Registration Date: Jan. 19, 2010

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jan. 19, 2010

Publication Date: Nov. 03, 2009

▼ Mark Information

▲ Collapse All

Mark Literal Elements: A & F

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of "A & F" in a stylized format.

Color(s) Claimed: Color is not claimed as a feature of the mark.

▼ Related Properties Information

Claimed Ownership of US Registrations: 1169714, 2530664, 3349895

▼ Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Polo shirts; Shirts and short-sleeved shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 05, 2009

Use in Commerce: Jan. 05, 2009

▼ Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No		Currently 66A: No	
Filed No Basis: No		Currently No Basis: No	

Current Owner(s) Information

Owner Name: Abercrombie & Fitch Trading Co.

Owner Address:

Attn: Jacob Kramer

6301 Fitch Path

New Albany, OHIO 43054

UNITED STATES

Legal Entity Type:

CORPORATION

State or Country Where Organized:

OHIO

Attorney/Correspondence Information

Attorney of Record

Attorney Name:

Jacob Kramer

Attorney Primary Email Address:

ipdocketingwest@abercrombie.com

Attorney Email Authorized:

No

Correspondent

Correspondent Name/Address:

Jacob Kramer

Abercrombie & Fitch Trading Co.

6301 Fitch Path

New Albany, OHIO 43054

UNITED STATES

Phone:

614.283.6930

Fax:

614.283.8940

Correspondent e-mail:

ipdocketingwest@abercrombie.com

Correspondent e-mail Authorized:

No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 19, 2010	REGISTERED-PRINCIPAL REGISTER	
Nov. 03, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 03, 2009	PUBLISHED FOR OPPOSITION	
Sep. 28, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Sep. 28, 2009	ASSIGNED TO LIE	70633
Sep. 16, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 16, 2009	ASSIGNED TO EXAMINER	68792
Jul. 06, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 06, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jun. 20, 2009	NOTICE OF PSEUDO MARK MAILED	
Jun. 19, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 19, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location:

PUBLICATION AND ISSUE SECTION

Date in Location:


Jan. 19, 2010

Assignment Abstract Of Title Information - Click to Load

Proceedings - Click to Load

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» Freedom of Information Act (FOIA)

» Department of Commerce NoFEAR Act Report

» Regulations.gov

» STOP!Fakes.gov

» Strategy Targeting Organized Piracy (STOP!)

» Information Quality Guidelines

» Department of Commerce

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http://tsdr.uspto.gov/#caseNumber=3739561&caseType=US_REGISTRATION_NO&searchType=statusSearch[6/10/2014 11:28:27 AM]

United States of America

United States Patent and Trademark Office

A & F

Reg. No. 1,169,714

ABERCROMBIE & FITCH TRADING CO. (OHIO CORPORATION)

Registered Sep. 15, 1981

6301 FITCH PATH
NEW ALBANY, OH 43054

Amended May 7, 2013

Int. Cl.: 35

FOR: RETAIL STORE [AND MAIL ORDER] SERVICES IN THE FIELD OF SPORTING GOODS, * NAMELY, BOTTOMS, HEADWEAR, JACKETS, LEGGINGS, SWIMWEAR, TOPS, AND UNDERGARMENTS ALL FOR USE IN SPORTING ACTIVITIES SUCH AS RUNNING, WALKING, WEIGHT LIFTING AND TRAINING, YOGA, AND SWIMMING *, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

SERVICE MARK

FIRST USE 9-29-1978; IN COMMERCE 9-29-1978.

PRINCIPAL REGISTER

OWNER OF U.S. REG. NOS. 239,578, 506,448 AND OTHERS.

SER. NO. 73-239,161, FILED 11-14-1979.



Lisa Street Lee

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.



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Mark: A & F

No Image exists for this case.

US Serial Number: 73239161

Application Filing Date: Nov. 14, 1979

US Registration Number: 1169714

Registration Date: Sep. 15, 1981

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Aug. 10, 2012

Publication Date: Jun. 23, 1981

▼ Mark Information

▲ Collapse All

Mark Literal Elements: A & F

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

▼ Related Properties Information

Claimed Ownership of US Registrations: 02395780, 05064480 and others

▼ Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Retail Store [and mail order] services in the field of sporting goods, * namely, bottoms, headwear, jackets, leggings, swimwear, tops, and undergarments all for use in sporting activities such as running, walking, weight lifting and training, yoga, and swimming *

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 29, 1978

Use in Commerce: Sep. 29, 1978

▼ Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

▼ Current Owner(s) Information

Owner Name: ABERCROMBIE & FITCH TRADING CO.

Owner Address: 6301 FITCH PATH

NEW ALBANY, OHIO 43054
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where
Organized: OHIO

▼ Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent
Name/Address: Abercrombie & Fitch Trading Co.
6301 Fitch Path
Attn: Jacob Kramer
New Albany, OHIO 43054
UNITED STATES

Phone: 614.283.6930

Fax: 614.283.8940

Correspondent e-mail: ipdocketingwest@abercrombie.com

Correspondent e-mail
Authorized: Yes

Domestic Representative - Not Found

▼ Prosecution History

Date	Description	Proceeding Number
Jul. 30, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 30, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 02, 2013	AMENDMENT UNDER SECTION 7 - ISSUED	76293
Mar. 07, 2013	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Oct. 04, 2012	POST REGISTRATION ACTION MAILED - SEC. 7	76293
Oct. 04, 2012	POST REGISTRATION ACTION MAILED - SEC. 7	76293
Aug. 15, 2012	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Aug. 10, 2012	POST REGISTRATION ACTION MAILED - SEC. 7	76293
Aug. 10, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 10, 2012	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	76293
Aug. 10, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76293
Mar. 27, 2012	TEAS VOLUNTARY AMENDMENT RECEIVED	
Mar. 06, 2012	FAX RECEIVED	
Nov. 28, 2011	PAPER RECEIVED	
Oct. 06, 2011	NOTICE OF SUIT	
Sep. 29, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Sep. 13, 2011	TEAS SECTION 8 & 9 RECEIVED	
Aug. 19, 2011	TEAS SECTION 7 REQUEST RECEIVED	
Jan. 11, 2011	NOTICE OF SUIT	
Jul. 06, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 06, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 28, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
May 28, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 05, 2008	CASE FILE IN TICRS	
Jun. 14, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 02, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 02, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Dec. 19, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 15, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
May 15, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 15, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Sep. 15, 1987	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	

Mar. 20, 1987	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED
Sep. 15, 1981	REGISTERED-PRINCIPAL REGISTER
Jun. 23, 1981	PUBLISHED FOR OPPOSITION

▼ Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Renewal Filed:	Yes
Renewal Date:	Sep. 15, 2011
Change in Registration:	Yes
Amendment to a Registration/Renewal Certificate:	In the heading, reclassify International Class 42 to 35. In the statement, Column 2, line 1, "and mail order" is deleted. The following "namely, bottoms, headwear, jackets, leggings, swimwear, tops, and undergarments all for use in sporting activities such as running, walking, weight lifting and training, yoga, and swimming" is inserted at end of the class.

▼ TM Staff and Location Information

TM Staff Information - None

File Location


Current Location:	POST REGISTRATION	Date in Location:	May 10, 2013
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http://tsdr.uspto.gov/#caseNumber=1169714&caseType=US_REGISTRATION_NO&searchType=statusSearch[6/10/2014 11:26:20 AM]

Int. Cls.: 25 and 35

Prior U.S. Cls.: 22, 39, 100, 101, and 102

Reg. No. 2,530,664

United States Patent and Trademark Office

Registered Jan. 15, 2002

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

A & F

A & F TRADEMARK, INC. (DELAWARE CORPORATION)
1105 NORTH MARKET STREET
WILMINGTON, DE 19801

FOR: CLOTHING, NAMELY, HATS, CAPS, SHIRTS, T-SHIRTS, TANK TOPS, KNIT TOPS, WOVEN TOPS, HALTER TOPS, SWEATSHIRTS, SWEATPANTS, UNDERWEAR, BOXER SHORTS, BRAS, PANTIES, SOCKS, PANTS, SHORT PANTS, JEANS, DRESSES, SKIRTS, BELTS, FOOTWEAR, SWEATERS, VESTS, COATS, JACKETS, SCARVES AND TIES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 11-0-1997; IN COMMERCE 11-0-1997.


FOR: RETAIL PERSONAL CARE PRODUCT AND CLOTHING STORE SERVICES AND MAIL ORDER CATALOG SERVICES FEATURING PERSONAL CARE PRODUCTS AND CLOTHING, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-0-1997; IN COMMERCE 11-0-1997.

OWNER OF U.S. REG. NOS. 239,578, 2,259,263, AND OTHERS.

SN 75-981,420, FILED 1-31-2000.

STEVEN R. FINE, EXAMINING ATTORNEY



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Mark: A & F

A & F

US Serial Number: 75981420

Application Filing Date: Jan. 31, 2000

US Registration Number: 2530664

Registration Date: Jan. 15, 2002

Register: Principal

Mark Type: Trademark, Service Mark

Status: The registration has been renewed.

Status Date: Dec. 15, 2011

Publication Date: Dec. 05, 2000

Notice of Allowance Date: Feb. 27, 2001

Mark Information

Collapse All

Mark Literal Elements: A & F

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

International Registration Number: 0878553

International Application(s) /Registration(s) Based on this Property: A0003705/0878553

Claimed Ownership of US Registrations: 0239578, 0506448, 1169714, 1170952, 2259263, 75906581 and others

Child Of: 75906581

Goods and Services

Note:
The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: clothing, namely, [hats, caps,] shirts, t-shirts, tank tops, knit tops, woven tops, [halter tops,] sweatshirts, sweatpants, underwear, boxer shorts, [bras, panties, socks,] pants, short pants, jeans, [dresses,] skirts, [belts,] footwear, sweaters, vests, coats, jackets, [scarves and ties]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 1997

Use in Commerce: Nov. 1997

For: retail personal care product and clothing store services [and mail order catalog services featuring personal care products and clothing]

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 1997

Use in Commerce: Nov. 1997

http://tsdr.uspto.gov/#caseNumber=75981420&caseType=SERIAL_NO&searchType=statusSearch[6/10/2014 2:13:09 PM]

▼ **Basis Information (Case Level)**

Filed Use:	No	Currently Use:	Yes	Amended Use:	No
Filed ITU:	Yes	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

▼ **Current Owner(s) Information**

Owner Name:	ABERCROMBIE & FITCH TRADING CO.				
Owner Address:	6301 FITCH PATH NEW ALBANY, OHIO 43054 UNITED STATES				
Legal Entity Type:	CORPORATION	State or Country Where Organized:	OHIO		

▼ **Attorney/Correspondence Information****Attorney of Record**

Attorney Name:	Jacob Kramer				
Attorney Primary Email Address:	ipdocketingwest@abercrombie.com	Attorney Email Authorized:	Yes		

Correspondent

Correspondent Name/Address:	Attn: Jacob Kramer, Senior Legal Counsel ABERCROMBIE & FITCH TRADING CO. 6301 FITCH PATH NEW ALBANY, OHIO 43054 UNITED STATES				
Phone:	614.283.6390	Fax:	614.283.8940		
Correspondent e-mail:	ipdocketingwest@abercrombie.com	Correspondent e-mail Authorized:	Yes		

Domestic Representative - Not Found▼ **Prosecution History**

Date	Description	Proceeding Number
Nov. 27, 2012	NOTICE OF SUIT	
Jun. 11, 2012	NOTICE OF SUIT	
May 14, 2012	NOTICE OF SUIT	
Feb. 02, 2012	NOTICE OF SUIT	
Dec. 15, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	71378
Dec. 15, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	71378
Dec. 12, 2011	TEAS SECTION 8 & 9 RECEIVED	
Dec. 09, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 06, 2011	NOTICE OF SUIT	
Mar. 08, 2011	NOTICE OF SUIT	
Feb. 24, 2011	NOTICE OF SUIT	
Jul. 06, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 06, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 28, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
May 28, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 09, 2009	NOTICE OF SUIT	
Aug. 04, 2008	REGISTERED - SEC. 15 ACKNOWLEDGED	71378
Aug. 04, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED	71378
Jul. 15, 2008	TEAS SECTION 15 RECEIVED	
Jul. 15, 2008	TEAS SECTION 8 RECEIVED	
May 23, 2008	NOTICE OF SUIT	
Apr. 18, 2007	CASE FILE IN TICRS	
Jun. 14, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 02, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 02, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	

Dec. 19, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 15, 2002	REGISTERED-PRINCIPAL REGISTER	
Oct. 05, 2001	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 20, 2001	STATEMENT OF USE PROCESSING COMPLETE	
Aug. 17, 2001	USE AMENDMENT FILED	
Sep. 20, 2001	DIVISIONAL PROCESSING COMPLETE	
Aug. 17, 2001	DIVISIONAL REQUEST RECEIVED	
Feb. 27, 2001	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 05, 2000	PUBLISHED FOR OPPOSITION	
Nov. 03, 2000	NOTICE OF PUBLICATION	
Sep. 01, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 13, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 03, 2000	NON-FINAL ACTION MAILED	
Jun. 28, 2000	ASSIGNED TO EXAMINER	63031
Jun. 27, 2000	ASSIGNED TO EXAMINER	76847
▼ Maintenance Filings or Post Registration Information		
Affidavit of Continued Use:	Section 8 - Accepted	
Affidavit of Incontestability:	Section 15 - Accepted	
Renewal Date:	Jan. 15, 2012	
▼ TM Staff and Location Information		
TM Staff Information - None		
File Location		
Current Location:	Not Found	Date in Location: Dec. 15, 2011
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- » [USPTO Webmaster](#)

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 3,221,986

United States Patent and Trademark Office

Registered Mar. 27, 2007

Amended

OG Date Feb. 2, 2010

TRADEMARK
PRINCIPAL REGISTER

A & F 92

ABERCROMBIE & FITCH TRADING CO.
(OHIO CORPORATION)
6301 FITCH PATH
NEW ALBANY, OH 43054

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 239,578, 2,918,216 AND OTHERS.

FOR: CLOTHING, NAMELY, HATS, CAPS, VISORS, SHIRTS, T-SHIRTS, TANK

TOPS, KNIT TOPS, WOVEN TOPS, HALTER TOPS, SWEATSHIRTS, SWEATPANTS, JOGGING PANTS, SWIMWEAR, UNDERWEAR, BOXER SHORTS, [BRAS, PANTIES, HOSIERY, SOCKS,] PANTS, SHORT PANTS, JEANS, DRESSES, SKIRTS, BELTS, FOOTWEAR, SWEATERS, VESTS, GLOVES, COATS, JACKETS, AND SCARVES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 11-30-1999; IN COMMERCE 11-30-1999.

SER. NO. 78-790,810, FILED 1-12-2006.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Feb. 2, 2010.*



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Mark:

A & F 92

US Serial Number:

78790810

Application Filing Date:

Jan. 12, 2006

US Registration Number:

3221986

Registration Date:

Mar. 27, 2007

Register:

Principal

Mark Type:

Trademark

Status:

A Section 8 declaration has been accepted.

Status Date:

Mar. 31, 2013

Publication Date:

Jan. 09, 2007

▼ Mark Information

▲ Collapse All

Mark Literal Elements:

A & F 92

Standard Character Claim:

Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type:

4 - STANDARD CHARACTER MARK

▼ Related Properties Information

International Registration Number:

0876752

International Application(s) /Registration(s) Based on this Property:

A0003664/0876752

Claimed Ownership of US Registrations:

0239578, 0506448, 1169714, 2259263, 2476699, 2526039, 2530664, 2797062, 2872186, 2889083, 2918216 and others

▼ Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For:

Clothing, namely, hats, caps, visors, shirts, t-shirts, tank tops, knit tops, woven tops, halter tops, sweatshirts, sweatpants, jogging pants, swimwear, underwear, boxer shorts, [bras, panties, hosiery, socks,] pants, short pants, jeans, dresses, skirts, belts, footwear, sweaters, vests, gloves, coats, jackets, and scarves

International Class(es):

025 - Primary Class

U.S Class(es):

022, 039

Class Status:

ACTIVE

Basis:

1(a)

First Use:

Nov. 30, 1999

Use in Commerce:

Nov. 30, 1999

▼ Basis Information (Case Level)

Filed Use:

Yes

Currently Use:

Yes

Amended Use:

No

Filed ITU:

No

Currently ITU:

No

Amended ITU:

No

Filed 44D:

No

Currently 44D:

No

Amended 44D:

No

Filed 44E:

No

Currently 44E:

No

Amended 44E:

No

Filed 66A:

No

Currently 66A:

No

Filed No Basis:	No	Currently No Basis:	No
▼ Current Owner(s) Information			
Owner Name:	Abercrombie & Fitch Trading Co.		
Owner Address:	6301 Fitch Path New Albany, OHIO 43054 UNITED STATES		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	OHIO
▼ Attorney/Correspondence Information			
Attorney of Record			
Attorney Name:	Jacob Kramer		
Attorney Primary Email Address:	ipdocketingwest@abercrombie.com	Attorney Email Authorized:	Yes
Correspondent			
Correspondent Name/Address:	Abercrombie & Fitch Trading Co. 6301 FITCH PATH Attn: Jacob Kramer NEW ALBANY, OHIO 43054 UNITED STATES		
Phone:	614-283-6930	Fax:	614-283-8940
Correspondent e-mail:	ipdocketingwest@abercrombie.com	Correspondent e-mail Authorized:	Yes
Domestic Representative - Not Found			
▼ Prosecution History			
Date	Description	Proceeding Number	
Mar. 31, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED		
Mar. 31, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED	71378	
Mar. 31, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378	
Mar. 27, 2013	TEAS SECTION 8 RECEIVED		
Mar. 27, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED		
Oct. 06, 2011	NOTICE OF SUIT		
Dec. 26, 2009	AMENDMENT UNDER SECTION 7 - ISSUED	77315	
Dec. 26, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315	
Dec. 01, 2009	TEAS SECTION 7 REQUEST RECEIVED		
Jul. 06, 2009	ATTORNEY REVOKED AND/OR APPOINTED		
Jul. 06, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED		
May 28, 2009	ATTORNEY REVOKED AND/OR APPOINTED		
May 28, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED		
Mar. 27, 2007	REGISTERED-PRINCIPAL REGISTER		
Jan. 09, 2007	PUBLISHED FOR OPPOSITION		
Dec. 20, 2006	NOTICE OF PUBLICATION		
Nov. 17, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	68658	
Nov. 15, 2006	ASSIGNED TO LIE	68658	
Nov. 03, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER		
Jun. 13, 2006	PRIORITY ACTION E-MAILED	6326	
Jun. 13, 2006	PRIORITY ACTION WRITTEN	74309	
Jun. 06, 2006	ASSIGNED TO EXAMINER	74309	
Jan. 18, 2006	NEW APPLICATION ENTERED IN TRAM		
▼ Maintenance Filings or Post Registration Information			
Affidavit of Continued Use:	Section 8 - Accepted		
Change in Registration:	Yes		
Amendment to a Registration/Renewal Certificate:	In the statement, Column 1, line 8, "bras, panties, hosiery, socks" is deleted.		
▼ TM Staff and Location Information			
TM Staff Information - None			

File Location	
Current Location: TMO LAW OFFICE 110	Date in Location: Mar. 31, 2013
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- » [STOP!Fakes.gov](#)

- » [Strategy Targeting Organized Piracy \(STOP!\)](#)
- » [Information Quality Guidelines](#)
- » [Department of Commerce](#)
- » [USPTO Webmaster](#)

Int. Cls.: 3, 14 and 18

Prior U.S. Cls.: 1, 2, 3, 4, 6, 22, 27, 28, 41, 50,
51 and 52

Reg. No. 3,349,895

United States Patent and Trademark Office

Registered Dec. 4, 2007

Amended

OG Date Dec. 22, 2009

TRADEMARK
PRINCIPAL REGISTER

A & F

ABERCROMBIE & FITCH TRADING CO.
(OHIO CORPORATION)

6301 FITCH PATH
NEW ALBANY, OH 43054

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 239,578, 1,169,714 AND OTHERS.

FOR: FRAGRANCES, NAMELY, PERFUMES AND COLOGNES, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 11-0-2004; IN COMMERCE 11-0-2004.

FOR: JEWELRY, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FIRST USE 2-0-1999; IN COMMERCE 2-0-1999.

FOR: [BACKPACKS, DUFFEL BAGS, GYM BAGS,] HANDBAGS, TOTE BAGS AND TRAVEL BAGS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 1-0-2003; IN COMMERCE 1-0-2003.

SER. NO. 78-787,866, FILED 1-9-2006.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Dec. 22, 2009.*



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An Agency of the Department of Commerce

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Mark: A & F

A & F

US Serial Number: 78787866

Application Filing Date: Jan. 09, 2006

US Registration Number: 3349895

Registration Date: Dec. 04, 2007

Register: Principal

Mark Type: Trademark

Status: A Section 8 declaration has been accepted.

Status Date: Feb. 24, 2014

Publication Date: Jan. 09, 2007

Notice of Allowance Date: Apr. 03, 2007

▼ Mark Information

▲ Collapse All

Mark Literal Elements: A & F

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

▼ Related Properties Information

International Registration Number: 0878553

International Application(s) /Registration(s) Based on this Property: A0003705/0878553

Claimed Ownership of US Registrations: 0239578, 0506448, 1169714 and others

▼ Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: ((Fragrances, namely, perfumes and colognes))

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 2004

Use in Commerce: Nov. 2004

For: Jewelry

International Class(es): 014 - Primary Class

U.S Class(es): 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 1999

Use in Commerce: Feb. 1999

For: [Backpacks, duffel bags, gym bags,] handbags, tote bags and travel bags

International Class(es): 018 - Primary Class		U.S Class(es): 001, 002, 003, 022, 041	
Class Status: ACTIVE			
Basis: 1(a)			
First Use: Jan. 2003		Use in Commerce: Jan. 2003	
▼ Basis Information (Case Level)			
Filed Use:	No	Currently Use:	Yes
Filed ITU:	Yes	Currently ITU:	No
Filed 44D:	No	Currently 44D:	No
Filed 44E:	No	Currently 44E:	No
Filed 66A:	No	Currently 66A:	No
Filed No Basis:	No	Currently No Basis:	No
▼ Current Owner(s) Information			
Owner Name: Abercrombie & Fitch Trading Co.			
Owner Address: Attn: Jacob Kramer 6301 Fitch Path New Albany, OHIO 43054 UNITED STATES			
Legal Entity Type: CORPORATION		State or Country Where Organized: OHIO	
▼ Attorney/Correspondence Information			
Attorney of Record			
Attorney Name: Jacob Kramer			
Attorney Primary Email Address: ipdocketingwest@abercrombie.com		Attorney Email Authorized: Yes	
Correspondent			
Correspondent Name/Address: Abercrombie & Fitch Trading Co. 6301 Fitch Path Attn: Jacob Kramer New Albany, OHIO 43054 UNITED STATES			
Phone: 614-283-6930		Fax: 614-283-8940	
Correspondent e-mail: ipdocketingwest@abercrombie.com		Correspondent e-mail Authorized: Yes	
Domestic Representative - Not Found			
▼ Prosecution History			
Date	Description	Proceeding Number	
Feb. 24, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED		
Feb. 24, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED	76874	
Nov. 14, 2013	SEC. 15 ACKNOWLEDGEMENT - E-MAILED		
Nov. 13, 2013	REGISTERED - SEC. 15 ACKNOWLEDGED	75184	
Nov. 12, 2013	REGISTERED - SEC. 15 AFFIDAVIT FILED	75184	
Nov. 13, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75184	
Nov. 12, 2013	TEAS SECTION 15 RECEIVED		
Nov. 12, 2013	TEAS SECTION 8 RECEIVED		
Nov. 11, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED		
Nov. 11, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED		
Oct. 06, 2011	NOTICE OF SUIT		
Mar. 08, 2011	NOTICE OF SUIT		
Nov. 19, 2009	AMENDMENT UNDER SECTION 7 - ISSUED	70132	
Aug. 20, 2009	ASSIGNED TO PARALEGAL	70132	
Aug. 14, 2009	TEAS SECTION 7 REQUEST RECEIVED		
Jul. 06, 2009	ATTORNEY REVOKED AND/OR APPOINTED		
Jul. 06, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED		
May 28, 2009	ATTORNEY REVOKED AND/OR APPOINTED		
May 28, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED		
Dec. 04, 2007	REGISTERED-PRINCIPAL REGISTER		
Oct. 29, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	68658	

Oct. 29, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 19, 2007	STATEMENT OF USE PROCESSING COMPLETE	76874
Oct. 03, 2007	USE AMENDMENT FILED	76874
Oct. 03, 2007	TEAS STATEMENT OF USE RECEIVED	
Apr. 03, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 09, 2007	PUBLISHED FOR OPPOSITION	
Dec. 20, 2006	NOTICE OF PUBLICATION	
Nov. 17, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	68658
Nov. 15, 2006	ASSIGNED TO LIE	68658
Nov. 03, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 13, 2006	PRIORITY ACTION E-MAILED	6326
Jun. 13, 2006	PRIORITY ACTION WRITTEN	74309
Jun. 06, 2006	ASSIGNED TO EXAMINER	74309
Jan. 12, 2006	NEW APPLICATION ENTERED IN TRAM	
▼ Maintenance Filings or Post Registration Information		
Affidavit of Continued Use:	Section 8 - Accepted	
Affidavit of Incontestability:	Section 15 - Accepted	
Change in Registration:	Yes	
Amendment to a Registration/Renewal Certificate:	In the statement, Column 1, line 1, "backpacks, duffle bags and gym bags" is deleted.	
▼ TM Staff and Location Information		
TM Staff Information - None		
File Location		
Current Location:	POST REGISTRATION	Date in Location: Feb. 24, 2014
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- » Budget & Performance

- » Freedom of Information Act (FOIA)
- » Department of Commerce NoFEAR Act Report
- » Regulations.gov
- » STOP!Fakes.gov

- » Strategy Targeting Organized Piracy (STOPT)
- » Information Quality Guidelines
- » Department of Commerce
- » USPTO Webmaster

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,624,670

Registered May 19, 2009

**TRADEMARK
PRINCIPAL REGISTER**

A&F NEW YORK

ABERCROMBIE & FITCH TRADING CO. (OHIO
CORPORATION)
6301 FITCH PATH
NEW ALBANY, OH 43054

OWNER OF U.S. REG. NOS. 239,578, 506,448, AND
OTHERS.

FOR: CLOTHING, NAMELY, JEANS, KNIT
SHIRTS, KNIT TOPS, SHIRTS, SHORTS, SWEAT
PANTS, SWEAT SHIRTS, SWEAT SHORTS, AND T-
SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "NEW YORK", APART FROM THE
MARK AS SHOWN.

FIRST USE 9-27-2006; IN COMMERCE 9-27-2006.

SN 78-594,968, FILED 3-25-2005.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

TEJBIR SINGH, EXAMINING ATTORNEY



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Mark: A&F NEW YORK

A&F NEW YORK

US Serial Number: 78594968

Application Filing Date: Mar. 25, 2005

US Registration Number: 3624670

Registration Date: May 19, 2009

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: May 19, 2009

Publication Date: Jan. 03, 2006

Notice of Allowance Date: Mar. 28, 2006

▼ Mark Information

▲ Collapse All

Mark Literal Elements: A&F NEW YORK

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "NEW YORK"

▼ Related Properties Information

Claimed Ownership of US Registrations: 0239578, 0506448 and others

▼ Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Clothing, namely, jeans, knit shirts, knit tops, shirts, shorts, sweat pants, sweat shirts, sweat shorts, and t-shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 27, 2006

Use in Commerce: Sep. 27, 2006

▼ Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

▼ Current Owner(s) Information

Owner Name: Abercrombie & Fitch Trading Co.

Owner Address: 6301 Fitch Path
New Albany, OHIO 43054
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where
Organized: OHIO

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jacob Kramer

Attorney Primary Email
Address: ipdocketingwest@abercrombie.com

Attorney Email Authorized: Yes

Correspondent

Correspondent
Name/Address: Abercrombie & Fitch Trading Co.
6301 Fitch Path
Attn: Jacob Kramer
New Albany, OHIO 43054
UNITED STATES

Phone: 614-283-6930

Fax: 614-283-8940

Correspondent e-mail: ipdocketingwest@abercrombie.com

Correspondent e-mail
Authorized: Yes

Domestic Representative - Not Found

▼ Prosecution History

Date	Description	Proceeding Number
Jun. 02, 2014	TEAS SECTION 8 RECEIVED	
May 30, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 06, 2011	NOTICE OF SUIT	
Mar. 08, 2011	NOTICE OF SUIT	
Jul. 06, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 06, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 28, 2009	ATTORNEY REVOKED AND/OR APPOINTED	
May 28, 2009	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 19, 2009	REGISTERED-PRINCIPAL REGISTER	
Apr. 13, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Apr. 13, 2009	ASSIGNED TO LIE	68171
Apr. 13, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 02, 2009	STATEMENT OF USE PROCESSING COMPLETE	76569
Mar. 28, 2009	USE AMENDMENT FILED	76569
Mar. 30, 2009	TEAS STATEMENT OF USE RECEIVED	
Sep. 30, 2008	EXTENSION 5 GRANTED	76569
Sep. 28, 2008	EXTENSION 5 FILED	76569
Sep. 30, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76569
Sep. 29, 2008	TEAS EXTENSION RECEIVED	
Mar. 20, 2008	EXTENSION 4 GRANTED	98765
Mar. 20, 2008	EXTENSION 4 FILED	98765
Mar. 20, 2008	TEAS EXTENSION RECEIVED	
Sep. 17, 2007	EXTENSION 3 GRANTED	98765
Sep. 17, 2007	EXTENSION 3 FILED	98765
Sep. 17, 2007	TEAS EXTENSION RECEIVED	
May 07, 2007	ATTORNEY REVOKED AND/OR APPOINTED	
May 07, 2007	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 28, 2007	EXTENSION 2 GRANTED	98765
Mar. 28, 2007	EXTENSION 2 FILED	98765
Mar. 28, 2007	TEAS EXTENSION RECEIVED	
Nov. 02, 2006	EXTENSION 1 GRANTED	64657
Sep. 28, 2006	EXTENSION 1 FILED	64657
Sep. 28, 2006	TEAS EXTENSION RECEIVED	
Mar. 28, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 03, 2006	PUBLISHED FOR OPPOSITION	

Dec. 14, 2005	NOTICE OF PUBLICATION	
Nov. 14, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Nov. 03, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 25, 2005	EXAMINER'S AMENDMENT ENTERED	76568
Oct. 24, 2005	ASSIGNED TO LIE	76568
Oct. 24, 2005	CORRESPONDENCE E-MAILED	
Oct. 24, 2005	EXAMINERS AMENDMENT -WRITTEN	80804
Oct. 20, 2005	ASSIGNED TO EXAMINER	80804
Jul. 05, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 05, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 20, 2005	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	76984
Apr. 20, 2005	TEAS VOLUNTARY AMENDMENT RECEIVED	
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United States of America
United States Patent and Trademark Office

a&f

Reg. No. 4,354,241

Registered June 18, 2013

Int. Cl.: 25

TRADEMARK

PRINCIPAL REGISTER

ABERCROMBIE & FITCH TRADING CO. (OHIO CORPORATION)
ATTN: JACOB KRAMER
6301 FITCH PATH
NEW ALBANY, OH 43054

FOR: BOTTOMS; COATS; FOOTWEAR; JACKETS; LEGGINGS; SLEEPWEAR AND TOPS,
IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-0-2009; IN COMMERCE 9-0-2009.

OWNER OF U.S. REG. NOS. 1,169,714, 3,349,895, AND OTHERS.

THE MARK CONSISTS OF THE LETTERS "A&F" IN A STYLIZED FORMAT.


SN 77-811,482, FILED 8-24-2009.

TRACY WHITTAKER-BROWN, EXAMINING ATTORNEY



Lea Street Lea

Acting Director of the United States Patent and Trademark Office



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Mark: A&F



US Serial Number: 77811482

Application Filing Date: Aug. 24, 2009

US Registration Number: 4354241

Registration Date: Jun. 18, 2013

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jun. 18, 2013

Publication Date: Jan. 12, 2010

Notice of Allowance Date: Apr. 06, 2010

Mark Information

Mark Literal Elements: A&F

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of the letters "a&f" in a stylized format.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Related Properties Information

Claimed Ownership of US Registrations: 1169714, 2530664, 3349895 and others

Goods and Services

Note:
The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Bottoms; Coats; Footwear; Jackets; Leggings; Sleepwear and Tops

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2009

Use in Commerce: Sep. 2009

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

http://tsdr.uspto.gov/#caseNumber=77811482&caseType=SERIAL_NO&searchType=statusSearch[6/10/2014 11:28:53 AM]

▼ **Current Owner(s) Information**

Owner Name: Abercrombie & Fitch Trading Co.

Owner Address: Attn: Jacob Kramer
6301 Fitch Path
New Albany, OHIO 43054
UNITED STATES

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** OHIO

▼ **Attorney/Correspondence Information**

Attorney of Record - None

Correspondent

**Correspondent
Name/Address:** JACOB KRAMER
ABERCROMBIE & FITCH TRADING CO.
6301 FITCH PATH
NEW ALBANY, OHIO 43054-9269
UNITED STATES

Phone: 614.283.6930

Fax: 614.283.8940

Correspondent e-mail: ipdocketingwest@abercrombie.com

**Correspondent e-mail
Authorized:** Yes

Domestic Representative - Not Found

▼ **Prosecution History**

Date	Description	Proceeding Number
Jun. 18, 2013	REGISTERED-PRINCIPAL REGISTER	
May 16, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 15, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	73296
May 14, 2013	ASSIGNED TO LIE	73296
May 06, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 03, 2013	STATEMENT OF USE PROCESSING COMPLETE	66230
Apr. 05, 2013	USE AMENDMENT FILED	66230
Apr. 05, 2013	TEAS STATEMENT OF USE RECEIVED	
Oct. 06, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 05, 2012	EXTENSION 5 GRANTED	66230
Oct. 03, 2012	EXTENSION 5 FILED	66230
Oct. 03, 2012	TEAS EXTENSION RECEIVED	
Apr. 12, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Apr. 11, 2012	EXTENSION 4 GRANTED	66230
Apr. 06, 2012	EXTENSION 4 FILED	66230
Apr. 06, 2012	TEAS EXTENSION RECEIVED	
Oct. 13, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 12, 2011	EXTENSION 3 GRANTED	66230
Oct. 06, 2011	EXTENSION 3 FILED	66230
Oct. 06, 2011	TEAS EXTENSION RECEIVED	
Apr. 13, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Apr. 12, 2011	EXTENSION 2 GRANTED	66230
Apr. 06, 2011	EXTENSION 2 FILED	66230
Apr. 06, 2011	TEAS EXTENSION RECEIVED	
Oct. 23, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 22, 2010	EXTENSION 1 GRANTED	66230
Oct. 06, 2010	EXTENSION 1 FILED	66230
Oct. 22, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Oct. 06, 2010	TEAS EXTENSION RECEIVED	
Apr. 06, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 12, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION	

	E-MAILED	
Jan. 12, 2010	PUBLISHED FOR OPPOSITION	
Dec. 07, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	76243
Dec. 04, 2009	ASSIGNED TO LIE	76243
Nov. 17, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 17, 2009	ASSIGNED TO EXAMINER	74672
Aug. 28, 2009	NOTICE OF PSEUDO MARK MAILED	
Aug. 27, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 27, 2009	NEW APPLICATION ENTERED IN TRAM	
▼ TM Staff and Location Information		
TM Staff Information - None		
File Location		
Current Location: PUBLICATION AND ISSUE SECTION		Date in Location: May 15, 2013
▼ Assignment Abstract Of Title Information - Click to Load		
▼ Proceedings - Click to Load		

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- » [Freedom of Information Act \(FOIA\)](#)
- » [Department of Commerce NoFEAR Act Report](#)
- » [Regulations.gov](#)
- » [STOP!Fakes.gov](#)

- » [Strategy Targeting Organized Piracy \(STOPI\)](#)
- » [Information Quality Guidelines](#)
- » [Department of Commerce](#)
- » [USPTO Webmaster](#)

Exhibit D











My Account (<http://americanfighter.com/index.php/customer/account/>)My Wishlist (<http://americanfighter.com/index.php/wishlist/>)Checkout (<http://americanfighter.com/index.php/checkout/>)Log In (<http://americanfighter.com/index.php/customer/account/login/>)<http://americanfighter.com/index.php/>

American Fighter Apparel

Search entire store here...

HOME(<http://americanfighter.com/index.php/>)

MENS

(<http://americanfighter.com/index.php/mens.html>)

KIDS

(<http://americanfighter.com/index.php/kids.html>)

WOMENS

(<http://americanfighter.com/index.php/womens.html>)Home (<http://americanfighter.com/index.php/>)Mens (<http://americanfighter.com/index.php/mens.html>)

TALLADEGA 50/50 SS TEE

<http://americanfighter.com/media/catalog/product/cache/1/image/9df78eab33525d08d6e5fb8d27136e95/f/m/fm273-white-f-l.jpg>

TALLADEGA 50/50 SS TEE

No reviews added

Availability: In stock

<http://americanfighter.com/index.php/review/product/list/id/254/category/3/#review-form>

\$32.00

TALLADEGA 50/50 SS TEE

*Color

Choose an Option...

*Size

Choose an Option...

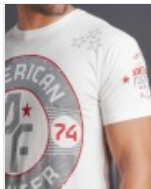
* Required Fields

\$32.00

Qty:

ADD TO CART

1

<http://americanfighter.com/media/catalog/product/cache/1/image/9df78eab33525d08d6e5fb8d27136e95/f/m/fm273-white-f-l.jpg><http://americanfighter.com/media/catalog/product/cache/1/image/9df78eab33525d08d6e5fb8d27136e95/f/m/fm273-white-s-l.jpg><http://americanfighter.com/media/catalog/product/cache/1/image/9df78eab33525d08d6e5fb8d27136e95/f/m/fm273-white-d-l.jpg>

PRODUCT DESCRIPTION (JAVASCRIPT:VOID(0))

PRODUCT TAGS (JAVASCRIPT:VOID(0))

TALLADEGA 50/50 SS TEE

CUSTOMER SERVICE

Shipping & Returns

(<http://americanfighter.com/index.php/shipping-returns>)

Privacy Policy

(<http://americanfighter.com/index.php/privacy>)

MY ACCOUNT

Sign In

(<http://americanfighter.com/index.php/customer-account/sign-in>)

View Cart

(<http://americanfighter.com/index.php/checkout>)

My Account (<http://americanfighter.com/index.php/customer/account/>)My Wishlist (<http://americanfighter.com/index.php/wishlist/>)Checkout (<http://americanfighter.com/index.php/checkout/>)Log In (<http://americanfighter.com/index.php/customer/account/login/>)[\(http://americanfighter.com/index.php/\)](http://americanfighter.com/index.php/)

American Fighter Apparel

Search entire store here...

HOME

[\(http://americanfighter.com/index.php/\)](http://americanfighter.com/index.php/)MENS(<http://americanfighter.com/index.php/mens.html>)

KIDS

[\(http://americanfighter.com/index.php/kids.html\)](http://americanfighter.com/index.php/kids.html)

WOMENS

[\(http://americanfighter.com/index.php/womens.html\)](http://americanfighter.com/index.php/womens.html)Home (<http://americanfighter.com/index.php/>) Mens

Sort By

Position ▼

Show

g ▼

per page

<http://americanfighter.com/index.php/men/artisan-s-s-50-50-tee.html>COLUMBIA ARTISAN S/S 50/50 TEE
(<http://americanfighter.com/index.php/men/artisan-s-s-50-50-tee.html>)

\$32.00

ADD TO CART

<http://americanfighter.com/index.php/men/coast-s-s-tet-mk-tw-tee.html>GULF COAST S/S TET MK TW TEE
(<http://americanfighter.com/index.php/men/coast-s-s-tet-mk-tw-tee.html>)

\$36.00

ADD TO CART

<http://americanfighter.com/index.php/men/s-s-inset-tee.html>HERITAGE S/S INSET TEE
(<http://americanfighter.com/index.php/men/s-s-inset-tee.html>)

\$36.00

ADD TO CART

Add to Wishlist

[\(http://americanfighter.com/index.php/wishlist/index/add/product/397/form_key/iRJ7H524qbknuppo/\)](http://americanfighter.com/index.php/wishlist/index/add/product/397/form_key/iRJ7H524qbknuppo/)

| Add to Compare

http://americanfighter.com/index.php/catalog/product_compare/add/product/397/enc/aHR0cDovL2F1ZjY2FuZmlnaHRlci5jb20vaW5kZXN1ZGVzL21l<http://americanfighter.com/index.php/men/fort-valley-s-s-mk-twst-tee.html>FORT VALLEY S/S MK TWST TEE
(<http://americanfighter.com/index.php/men/fort-valley-s-s-mk-twst-tee.html>)

\$36.00

ADD TO CART

Add to Wishlist

[\(http://americanfighter.com/index.php/wishlist/index/add/product/483/form_key/iRJ7H524qbknuppo/\)](http://americanfighter.com/index.php/wishlist/index/add/product/483/form_key/iRJ7H524qbknuppo/)

| Add to Compare

http://americanfighter.com/index.php/catalog/product_compare/add/product/396/enc/aHR0cDovL2F1ZjY2FuZmlnaHRlci5jb20vaW5kZXN1ZGVzL21l<http://americanfighter.com/index.php/men/artisan-mk-tw-tank.html>JAMESTOWN ARTISAN MK TW TANK
(<http://americanfighter.com/index.php/men/artisan-mk-tw-tank.html>)

\$34.00

ADD TO CART

Add to Wishlist

[\(http://americanfighter.com/index.php/wishlist/index/add/product/483/form_key/iRJ7H524qbknuppo/\)](http://americanfighter.com/index.php/wishlist/index/add/product/483/form_key/iRJ7H524qbknuppo/)

| Add to Compare

http://americanfighter.com/index.php/catalog/product_compare/add/product/392/enc/aHR0cDovL2F1ZjY2FuZmlnaHRlci5jb20vaW5kZXN1ZGVzL21l<http://americanfighter.com/index.php/men/brockport-ss-mk-twist.html>BROCKPORT SS MK TWIST
(<http://americanfighter.com/index.php/men/brockport-ss-mk-twist.html>)

\$36.00

ADD TO CART

Add to Wishlist

[\(http://americanfighter.com/index.php/wishlist/index/add/product/483/form_key/iRJ7H524qbknuppo/\)](http://americanfighter.com/index.php/wishlist/index/add/product/483/form_key/iRJ7H524qbknuppo/)

| Add to Compare

http://americanfighter.com/index.php/catalog/product_compare/add/product/392/enc/aHR0cDovL2F1ZjY2FuZmlnaHRlci5jb20vaW5kZXN1ZGVzL21l



My Account (<http://americanfighter.com/index.php/customer-account>)
 Checkout (<http://americanfighter.com/index.php/checkout>)
<http://americanfighter.com/index.php/>

Search entire store here...

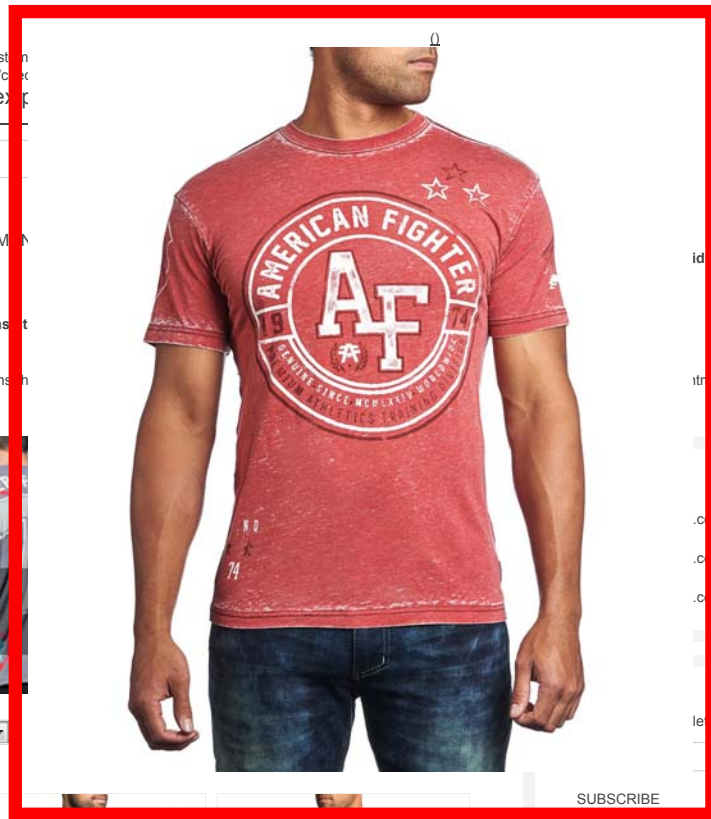
HOME
<http://americanfighter.com/index.php/>

WOMENS
<http://americanfighter.com/index.php/womens>

Home (<http://americanfighter.com/index.php/>) Mens
 Sleeve



Sort By Position



SUBSCRIBE



<http://americanfighter.com/index.php/mens/tops/short-sleeve/maryland-ss-tee.html>

MARYLAND SS TEE
<http://americanfighter.com/index.php/mens/tops/short-sleeve/maryland-ss-tee.html>

\$32.00

ADD TO CART

Add to Wishlist

<http://americanfighter.com/index.php/wishlist>

Add to Compare

<http://americanfighter.com/index.php/catalog/product/view>



<http://americanfighter.com/index.php/mens/tops/short-sleeve/clarkson-s-s-50-50-tee.html>

CLARKSON S/S 50/50 TEE
<http://americanfighter.com/index.php/mens/tops/short-sleeve/clarkson-s-s-50-50-tee.html>

\$32.00

ADD TO CART

Add to Wishlist

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Add to Compare

<http://americanfighter.com/index.php/catalog/product/view>



<http://americanfighter.com/index.php/mens/tops/short-sleeve/alabama-s-s-mock-twist.html>

ALABAMA S/S MOCK TWIST
<http://americanfighter.com/index.php/mens/tops/short-sleeve/alabama-s-s-mock-twist.html>

\$36.00

ADD TO CART

Add to Wishlist

<http://americanfighter.com/index.php/wishlist>

Add to Compare

<http://americanfighter.com/index.php/catalog/product/view>



<http://americanfighter.com/index.php/mens/tops/short-sleeve/yale-s-s-contrast-slub.html>

YALE S/S CONTRAST SLUB
<http://americanfighter.com/index.php/mens/tops/short-sleeve/yale-s-s-contrast-slub.html>

\$36.00



<http://americanfighter.com/index.php/mens/tops/short-sleeve/clarkson-s-s-mock-twist-tee.html>

CLARKSON S/S MOCK TWIST TEE
<http://americanfighter.com/index.php/mens/tops/short-sleeve/clarkson-s-s-mock-twist-tee.html>

\$36.00



<http://americanfighter.com/index.php/mens/tops/short-sleeve/heritage-artisan-ss-tee.html>

HERITAGE ARTISAN SS TEE
<http://americanfighter.com/index.php/mens/tops/short-sleeve/heritage-artisan-ss-tee.html>

\$44.00

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American Fighter Bennington Tank

Item# amf-1177

[Read Reviews](#) | [Write a Review](#)**\$33.99****Color:** Crystal Blue/White**Size:**

S M L XL 2X 3X

Availability: Select Size.**Quantity:** 1

Share

Like

0

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- American Fighter inspired design
- Athletic Tank top
- Front, Back graphics
- Contrast colors
- 50% COTTON / 50% POLY
- WHITE CHAINSTITCH UP SIDE SEAM
- WOVEN LABEL

Recommended For You

Roots of Fight Mike Tyson
Brooklyn's Own Shirt**\$34.95**Roots of Fight Mike Tyson
NY State Games Shirt**\$34.95**

Venum Giant T-Shirt

\$29.99UFC Ronda Rousey UFC
170 Walkout Shirt**\$29.95**

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American Fighter Auburn Shirt

Item# amf-1173

[Read Reviews](#) | [Write a Review](#)**\$35.99****Color:** Purple**Size:**[S](#) [M](#) [L](#) [XL](#)**Availability:** Select Size.**Quantity:** [Share](#)[Add to Wishlist](#) | [Send to a Friend](#)

- American Fighter Premium Athletics inspired design
- Crew neck
- Sleeve, Front, Back graphics
- 100% COTTON
- LIME GREEN CHAINSTITCH UP SIDE SEAM
- WOVEN LABEL